1: Lattimore H-4 (no date) 1950 AI1 Sinkiang AI1

raise the question of Sinkiang seceding from the Chinese Republic." In addition to disavowing any intention of secession Akhmedjan stated that:

> The problem today is to confirm national unity and to put into effect a democratic policy. We do not put the question of the rule of one nation or group of nations over another nation or group of nations. Therefore the national self-government which we desire is supreme authority in our Province under an executive power which is to be effected not only by the Uighurs or those of Turkic race, but also by the unification of all the peoples in our Province and the implementation of a democratic policy.[17]

The demand of even the most militant Uighurs seems so far to have gone no further than the preservation of their own entity within the Chinese state. A key issue has been the struggle for elections free of intimidation by the Chinese, who attempted to cow the people with assertions that "We have the atom bomb," [18] and that "80,000 American troops" would come to establish "order" in Sinkiang.[19] Another demand has been for national courts adapted to the local needs of the population. The issue of the use of their own language also looms large in the eyes of the Uighurs. Item Three of the abortive Kulja Agreement provided that both Chinese and Uighur were to be used in all official documents, and that petitions from the people were to be in the language of the petitioner. Item Four provided that education in lower and middle schools was to be in the language of the student, that the study of Chinese was to be obligatory in middle schools, and that higher education was to be either in Chinese or in Uighur, according to the convenience of the student.

These items suggest the emphasis which Uighur nationalists, like those of other minority groups in Sinkiang, place on their cul-

[17] *Şin Çan Gezeti*, February 19, 1947 (in Uighur).
[18] *Loc. cit.* (in Uighur).
[19] *Şin Çan Gezeti*, Feb. 12 and 13, 1947 (in Uighur).

563 "chief-elder". The charismatic character of such an elder is of
622 prime importance. His wealth, his public influence, his reputa-
[554] tion, his military ability and his moral integrity form the basis of his social status.

692 Internal order is maintained by unwritten common law. Judges
563 act by custom and conscience alone. When a cause of action arises,
671 the litigants, in lieu of blood-vengeance, agree to refer the matter to a court of their own choosing and to abive by its decision. Either both sides agree on one or two bäks to settle the case, or each selects a bäk, and a third man is chosen as arbiter. Civil and
[674] criminal law are not distinguished. Crimes are really torts, and
[681] can be settled out of court by compromise. Hence, the criminal is not punished; he simply pays damages, which represent a sort of compounding of the earlier lex talionis. Custom prescribes a
681 graded schedule of damages, ranging from a wergild (kun) of 100
563 horses, 1000 sheep, or 50 camels for homicide, through lesser payments in cattle for adultery, fraud, and serious personal injuries or assault, to a horse and a robe or skin for slander, breaking a finger or tooth, and minor assaults. The full wergild must be paid for killing a man, one-half for a woman or slave, and one-third for a child under ten. The circumstances and intent are not considered. However, a man pays no penalty for killing his child, slave or adulterous wife. For cattle theft, a man must restore the stolen animals and, in addition, pay twice their number as damages. For rape of an unbetrothed girl he must marry the girl, give her father the usual bride-price, and pay him a fine of nine head of cattle.

563 Usually before a boy reaches the age of ten, his father seeks
584 a wife for him. Neither the boy nor the girl has much voice in
[614] the transaction. Since the nomadic Turks practice strict clan exogamy the boy's father must select a girl of suitable qualifications from another clan. He then sends matchmakers to her
563 father to arrange the bride-price "kalym". Except where a
583 brother and sister are married by exchange to a sister and
584 brother, marriage is always by purchase. The bride-price, payable in horses, cattle, sheep and camels, varies with the means of the groom and the desirability of the bride, forty animals representing perhaps an average kalym. In return, the bride takes with her from her father's home a dowry, much inferior in value, consisting usually of a yurt, a riding horse or other animals, a chest of clothing, rugs, beddings, and other house-
[582] hold articles. Marriage is deferred until the children attain
[884] their majority.

/The New Uighurs/

S 563 178 [31] individual and the community. Natural resources to not seem to be of prime importance in Sinkiang. However, their exploitation through free or forced labor will further break down Uighur kinship ties and thereby alter the social structure. In recent S [464] times large numbers of non-Uighur laborers have been introduced into the area, further augmenting alien cultural elements.

S 563 438 622 Uighurs participating in small-scale home industries and handicrafts are organized under the leadership of a Chong-usta. Unlike the merchant's "guild" aqsaqal, he is not a public official.

S 563 554 [631] [647] [692] Under the Manchu system the Bäks (communal leaders) were classed in five degrees of rank, ranging from the third to the seventh degree of the Chinese official scale. 1. Ak'im Bäk- local governor; 2. Ishkhan Bäk -Assistant Governor; 3. Shang Bäk - Collector of Revenue; 4. Katsanatch'i Bäk - same as above; 5. 'Hatze Bäk - Judge; 6. Mirabu Bäk - Superintendent of Agriculture.

S [312] As discussed previously, the Mirabu Bäk was also the official having authority over water rights and water distribution. In practice the Manchu Amban, highest Manchu official in a given area, chose the Ak'im Bäk who, in turn, chose his own subordinates.

S 563 241 554 Farm units were organized as follows: Ten such units were lead by an On-bashi, fifty by an Illik-bashi, one hundred by an Yüz-bashi. The duties of the Bäks and Yüz-bashis mainly consisted of keeping and collecting registers and taxes. This governmental organization was abolished officially by the Chinese Revolution in 1911. However, traces of this structure are still found today.

S 563 668 177 The whole Uighur social structure certainly will undergo far-reaching changes under the Communist government. However, at this time only hypotheses about these changes can be advanced. As new cultural and political structures are imposed on the society, kinship ties will be further loosened. The Uighur communisty and its structure will take on new characteristics, as old institutions disappear and new ones are introduced. Except, perhaps, for the nuclear family, social groupings will be brought more and more into accordance with the new ideals of the society.

N B. The Sedentary Tibetans

N *563 [592] [361] Much that has been said about the nomadic Tibetans holds equally true for their sedentary counterparts. Again the basic unit is the group of families living together. In the sedentary community, the village may be composed of from a dozen to seventy, eighty or even more houses arranged adjacent to each other. N [342] The roofs of the normally two-storied buildings are close enough to form a pathway, and are used as such.

/Turkic Moslems of Sinkiang/

799 character of Islam. In Sinkiang, Islam has been affected by two major factors. The first one is that Islam has been superimposed over a civilization which contained Shamanist, Buddhist, Manichaeanist and Nestorian elements. Many Buddhist traditions have not been erased completely by Islamic beliefs. These traditions have been incorporated into Islam, although totally foreign to it, and they have acquired a superficial Moslem character.

799 The second fact that had considerable influence upon the de-
177 velopment of Islam in Sinkiang is that the country is under Chinese administration. As already explained, Islam is not merely a religious faith, but it encompasses many aspects of the entire way of life of the Moslems. As a result of Chinese administration, all those functions of Islam that are not concerned with the articles of faith and strictly religious rites, have been taken
[671] over by the Chinese. The law of the country is the Chinese sec-
[892] ular law, and not the Moslem religious one. The courts of law are administered by Chinese civil servants rather than by the Moslem Qazis (judges).

799 The Turkic Moslems in Sinkiang are not very strict in their
794 observance of religious practices. There is only a small number
563 of people (mainly Kirghiz) who perform the ablutions and say the prayers regularly, pay the Zakat to the mosque, medresses (mosque schools) and the poor, wear a turban and abstain from smoking and drinking. The majority of the people (this applies to the East Turki as a whole) do not perform the ablutions nor prayers. Except on holidays there are very few people in the mosque during the services. The people do not give the required Zakat, and they smoke tobacco and even opium. Though they are quite strict about not eating pork, they do not abstain from drinking wine and other alcoholic beverages. Few of the women veil themselves in public, and they go unsupervised in the market places. The Sunni Turki in Sinkiang have no scruples about letting their daughters marry the Balti Shi'is (most other Sunni Moslems consider it a great offense). The people as a whole are very poorly instructed in the matters of religion. Most know the fatihat sura (the opening chapter of the Koran), but few know more. Holidays are more strictly observed than are other rites.
[796] Though Ramadan imposes rigid restrictions during the daytime, at night the Moslems of Sinkiang compensate festively for their daily sacrifices. Id-el-Fitr, the Moslem New Year celebration in the tenth month, is one of the most joyful and colorful holidays in Sinkiang. The people attire themselves in new clothes, attend the special services in the mosques, greet each other, visit friends and attend feasts.

795 As Grenard points out, the cult of Imams and other Moslem
796 saints which is an integral part of Islam in Sinkiang, goes back
798

/Turkic Moslems of Sinkiang/

795 to religions other and older than Islam. The Moslem priests,
796 powerless to destroy the popular worship of certain shrines,
798 adopted those shrines and named them after Islamic personages.

The Turki is a great believer in the efficacy of local saints, and there are innumerable shrines all over the country dedicated not only to the "imams," but to later saints and heroes. These sanctuaries usually have some beliefs and observances attached to them, connected either with the curing of diseases or with the bearing of children. At shrines of the latter type, the majority of pilgrims are women. The mullas have therefore been obliged, for the sake of propriety, in each case to invent a female saint, complete with legend, to bring the cult in line with Islam. The
[798] popular names of the shrines reveal that most of these cults
769] have been derived from the ancient practices of ancestor worship.

771 Paganism, as well as ancestor worship, is still prevalent in
796 this land despite a thousand years of Islam. Many of the religious festivals, especially those which are seasonal and therefore not connected with the Moslem calendar, are more pagan than Moslem. They are merely popular gatherings for the purpose of feasting and enjoyment, and are probably older than Islam.

793 The clergy in Sinkiang is divided into two categories: the
794 judges and the priests in one, and the simple clerks in the other (the mullas). The latter class includes all males who can read and write and wear a turban. Above these mullas, there is a class of mosque officials with specific functions: the Muazzin, who calls the believers to attend the daily prayers, the Imam, who leads the services, the Mutakib, in charge of seeing that the laws of the Koran are observed, the Reis, prefect of discipline, the Khatib, who delivers the Friday sermon, and the mulla a'lam, doctor of law who is also in charge of the circumcision ceremony.

793 The resources of the clergy consisted mostly of waqf, land
[423] property which had been donated to them or confiscated by them. In spite of the Chinese confiscations of clergy landed property, until recent times this constituted an important source of income for the clergy. Other clergy sources are the Zakat, donations from richer believers, casual fees, judicial fees, and fees paid for marriages, funerals and so forth. The Zakat is not a very substantial source of income, as the Sinkiang Moslems are lax in adhering to this obligation. At present it is almost impossible for the clergy to subsist without resorting to some secular occupation.

793 The judicial power and the police functions of the clergy in
692 the past have diminished greatly during the Chinese administra-
[777] tion. The Qazis judge cases which are brought voluntarily to

S 793 [692] S [794] them. Nowadays these are more cases of private feuds than law suits. Even when a Qazi exercises his judicial powers, he has no authority to enforce the verdict. The position of the reis is purely symbolic, and that of the Mutaki merely one of consultative powers.

F. The Chinese Moslems

S N 795 563 The Chinese Moslems are a different sect of Islam than the Turkic Moslems in Sinkiang. They constitute a religious and, to an extent, a racial minority in China proper. The same is not true of the Turkic Moslems, who form a major section of the population in Sinkiang, and who in reality are not a national and religious minority. However, in Northwest China, the number of Chinese Moslems is much greater than in other parts of China, with the possible exceptions of Yunnan and Peking. Many differences between the Chinese Moslems and the Turkic Moslems stem from this factor alone. The Chinese Moslems are S N 795 much influenced by an environment which is foreign to Islam. They have accepted many of the local customs and have integrated them into their own rites. This process has been both voluntary and forced. The Chinese Moslems, through the process of intermarriage and living within a majority of non-Moslems, have absorbed some of their customs, perhaps without realizing it. To avoid persecution and suspicion from the rest of the people, they have been forced to adopt others.

S N [361] Another important factor in the shaping of Islam in China is the virtual isolation of the Chinese Moslem communities from other centers of Islam, an isolation which has existed for many centuries. Islam in China has been deprived of many of the contributions made later to the religious doctrine and practice by various philosophic and juristic scholars in Western Asia. Islam in China, consequently, developed its own peculiar characteristics (mainly in ritual). The Chinese Moslems have not contributed anything of major importance to the fields of Islam's philosophy and theological thought.

S N 795 101 The Chinese Moslems are commonly called Dungans. They themselves do not use the name, but term themselves Hui-hui or Hui tzu. This appellation is applied by the Chinese to all Moslems, whether residents of China proper or Turkestan. Islam is commonly designated Hui-Hui Chiao (the religion of the Hui Hui). It is also known as Ch'ing-chen Chiao (The Pure and True Religion), or the Hsiao-chiao (minor religion) as contrasted with Confucianism, the "Great Religion." The Communists refer to them as Hui. The meaning and origin of the name Hui-hui are not known. There are many varying opinions on the subject. Some say Hui-hui is a corruption of the name Uighur; others, that it is equivalent to the Arabic term Islam, the character *Hui* signifying "to return".

795 668 The demands of the natives of Sinkiang for independence were accentuated in the 1930's by the introduction of pan-Islamic ideals from India. These ideals for a union of Moslem peoples which transcends national boundaries, fired the imagination of the Turkic peoples of Sinkiang and bolstered their nationalistic aspirations. As they served to mobilize Turkestanian nationalists to oppose Nationalist rule in the 1940's, so they have inspired Turkestanian resistance against the Communists since 795 668 1949. In speeches and in publications, the Communist leaders have vehemently denounced pan-Islam as a major obstacle to the policy of bringing the native peoples of Turkestan into the "great 177 family of nationalities" of Communist China.

Perhaps, because pan-Islam is still an incohate movement, having attractive and high-sounding goals but not the organization and strength to achieve these goals, the Chinese Communists, despite their denunciation of it, have not regarded it as a great threat in comparison to that of other religions, like, for example, the Roman Catholic Church, which have external ties. Consequently, in the first years of Communist rule, they proclaimed a policy of benevolence toward the Moslems largely for the propaganda value of such a policy.

A number of Moslem fellow-travelers readily responded, and other Moslem leaders, out of self-interest, also acquiesced to the Communists. Still others hoped to carry on even under the narrow restrictions imposed upon them by the Communist government. The majority of the Moslem peoples of the Northwest, learning from the experience of their co-religionists in Soviet Central Asia, have evolved a way of life which is to live in the Communist world without becoming a part of it. Privately, they still regard themselves as belonging to the Moslem world.

795 798 668 177 A large number of the Moslems in Chinese Turkestan, following the militant tradition of their forefathers, chose to resist the Communists, and the Communists treated them, not as Moslems, but as counter-revolutionaries. Consequently, while proclaiming their policy of benevolence toward the Moslems, a policy reserved for only those who submit, the Communists also carried out a violent program of persecution. As soon as they entered Sinkiang in 1949, the first act of the Chinese Communists was to undermine the influence of the Moslem clergy. A number of religious institutions were closed, and the landed property of the clergy—the waqf—were confiscated. Chinese 692 Communist judges took over the judicial functions of the qadi and the people's courts took over the handling of criminal and civil cases, while the so-claimed cultural cadres assumed the guidance of the daily life of the people. The local branches of the China Islamic Association and other mass organizations supplanted the leadership of the Moslem clergy. With institution of

000 purge took place.

N
*668 In order to control Christians, the Communists sponsored a
798 movement to reorganize the churches. Following the principles of Communism all the churches were supposed to be combined under the leadership of the Communist government. The movement started with a government-sponsored statement entitled, "Road for Chinese Christian Churches in Reconstructing New China." All Christians were asked to sign their names to this statement. To most Christians, this movement was a rebellion against God. To the Communists, any Christian who refused to sign was a potential "counter-revolutionary". According to the Communist report, 1,527 Christians signed the statement in August and 1,741 signed in September of 1950. Among these, 44 were in Shensi and 1 in Kansu. (Peking Jen-min Jih-pao, December 5, 1950). No detailed figures of the later years are on hand but it was the start of a continuous persecution of Christians loyal to their faith.

An editorial of the Jen-min jih-pao of July 7, 1955 complained about sabotage activities of "reactionary" religious groups in Shensi and Kansu during 1954 and recommends: "We must take effective actions and resolutely beat the sinful activities of all the reactionary religious groups.... We must severely suppress these religious leaders. As to the common believers... we must order them to register in the government and force them to sign a pledge to withdraw from their religious organizations."

S
668 The Sinkiang jih-pao of June 18, 1953 discussed the activities
423 of people's courts in the district of Urumchi: "When the land re-
• 692 form began, the personnel of the courts cooperated with the land reform teams to penetrate into the villages. They called various meetings and publicized the policy, function and missions of the people's court... They encouraged the mass to accuse the landlords,.... Generally they would arrest the landlords... confiscate their property and publicly liquidate them. When a case could be used to educate the people they would convict the man in public trial before a mass meeting. For instance, after the arrest of the unlawful landlord Je-he-p'u (most likely an Uighur) of T'o-k'e-sun, the team and the court organized a small scale liquidating meeting against him in his village. Then they organized a large scale liquidating meeting in the hsiang with deputies from every district of the county presented.... In less important cases, the landlords were warned before the public... and forced to admit their sin and publicly accuse themselves... The important point is to use the local people as the judge and the jury. ... For instance, when the 3rd hsiang of the 3rd district of Shanshan publicly accused the local despot and landlord P'ai-tsu-nan (probably an Uighur), the judge and the jury were all minority cadres. The mass was very much pleased, saying, "Now... it

S
668 is our own people who are judging and sentencing people." But...
423 we must give the minority cadres concrete help and guidance."
692 The Hsin-hua yüeh-pao, 1955, no. 7, reported: "On March 14, 1955, the People's Court of Hsien-yang County in Shensi called a public accusation rally to punish Chao Chu-shih. It reclassified him as a landlord, and confiscated all his land, drafting animals, farming tools and houses, except the part his family deserves to have."

C
668 IV. The Pledges and Practices Regarding Economic Rights
423 In view of this lack of personal security very few people dared to defend their property rights. In the Common Program of 1949, Article 3 stated: "The People's Republic of China must abolish all the prerogatives of imperialist countries in China. It must confiscate bureaucratic capital and put it into the possession of the people's state. It must systematically transform the feudal and semi-feudal land ownership system into a system of peasant land ownership; it must protect the public property of the state and of the cooperatives and must protect the economic interests and private property of workers, peasants, the petty bourgeoisie and the national bourgeoisie. It must develop the people's economy of New Democracy and steadily transform the country from an agricultural into an industrial one." A number of terms in this article are vague; they are presumably to be kept this way to allow for a flexible interpretation.

It is hard to draw a definite line between the "bureaucratic capital" and "economic interests and private property of workers, farmers, the petty bourgeoisie class and the national bourgeoisie." Only after the loss of one's property, he would realize that he was a bureaucratic capitalist or feudal, or semi-feudal landowner. Those who kept their property would have to regard it as a favor rather than a right.

C
668 The present Communist Constitution is more explicit. It has
642 quite a number of articles relating to economic system and rights.
421 These are articles four to fourteen. Besides, there are several more articles to protect the citizens, namely 91, 92, 93, 94, 95, 96, 97, etc.

In these articles the constitution clearly states that the economic system in a socialist nation shall be built on state ownership, supplemented by cooperative ownership, (articles 6 and 7), while they are definitely going to eliminate "rich-peasant economy" (article 8) and "capitalist ownership" (article 10). The protection of the rights of ownership and inheritance (article 12), the property of the individual farmers (article 8) and workers (article 9) is subject to the regulations of law which will be adjusted from time to time to encourage the individual owners to organize cooperatives voluntarily. Protection of private income, savings, housing, and

439 Hissar, Karghalik and elsewhere. Besides these there are colonies of Muhammadan British subjects in nearly all the districts, some of them purely agricultural immigrants from Northern Kashmir and Chitral, others (and these among the wealthiest in the land) merchants engaged in the Indian trade. Many of the latter have married Turki wives, own land and houses, and have a considerable stake in the country. 648 All these people cling tenaciously to their British nationality and their right to the protection of the Consular court, which 692 under the existing arrangement exercises extra-territorial jurisdiction over them. This is not the place to discuss the ins and outs of the extra-territorial system in general or the details of its application to Kashgaria. Suffice it to say that the Consul-General is kept very busy maintaining order among the British subjects of the various districts, settling their civil disputes, trying cases brought against them by Chinese subjects, helping them to obtain redress in the Chinese courts and generally watching over their interests. Although theoretically the Consul-General deals only with the Taoyin, the representative of the Governor of the province, in practice very few cases, and those only the most important ones of an "international" nature, are heard at Kashgar. The Consul-General works informally with the District Magistrates, either directly or through the British agents ("Aqsaqals") in the various towns. As the majority of the British subjects live from five to twenty marches from Kashgar, it can readily be understood that the most effective and expeditious method of dealing with their cases is regularly to visit the districts in which they reside and settle matters on the spot, either with the District Magistrates or among the British subjects themselves as the case may be. In fact, it was only by travelling once a year down each of the two main roads, Yarkand-Khotan-Keriya and Maralbashi-Aksu-Kucha, with halts varying from one to fifteen days at each district headquarters and with an occasional extra visit to the chief centre of the Indian trade, Yarkand, that I found it possible to keep in touch with the Indian colonies and (what is no less important) on friendly personal terms with the 484 Chinese magistrates. Nearly half of the two and a quarter years we were in Kashgaria was thus spent on tour, and D. and I covered, apart from holiday jaunts to the hills, some 3,400 miles, almost entirely on horseback with our baggage in Peking carts or on the back of pack-ponies. There was

1 [INDIAN MERCHANTS -- ANALYST]

3: Skrine G-3 (1922-1924) 1926 All Sinkiang All

Valley and over the Achiq Davan to Khanterek on the Qaratash. Brian O'Flynn and his camels were not available this time, but Zakir Haji, the carrier whom we had employed on our spring tour, had served us very well in the mountains, and we were glad to be able to secure him and his ten ponies once more. Our retinue included the same well-tried orderlies and servants who had accompanied us the previous autumn, except that the ex-Lancer Rahim Khan, who was really past his work, was replaced by our sturdy, wise old Ladakhi Jemadar, Ghulam Muhammad. Another notable addition to our caravan was the fine grey donkey we had acquired in the spring for the sweeper Yakub to ride, in order to save the hire of a special pony for him. Tooty (short for Tutankhamen) cost us the equivalent of 25*s.* 6*d.* at the Thursday live-stock market outside Kashgar, which we visited in person to buy him, and he carried Yakub right staunchly over hill and dale throughout all our subsequent wanderings. D. regarded him as one of her pets, and if on the march he led laborious days, at the Consulate between tours he lived on the fat of the land. He had one drawback, and that was a frequent and most stentorian bray. Echoing among the precipices of the mountains, Tooty's bray would have awakened the Seven Sleepers, and every night we had to see that he was tied up with plenty of lucerne at least a quarter of a mile from our tents.

On the afternoon of the 19th June we rode to Yapchan, and next day we lunched at Yangi Hissar. My presence at this town, which is some miles to the east of the mouth of the Qaratash, was required for the joint trial with the Amban of an interesting murder case in which a Kirghiz of the Qizil Tagh was accused of killing a Chitrali traveller. The murdered man being a British and the accused a Chinese subject, the case was a "mixed" one triable by the Chinese authorities, with myself as British Consul-General "watching" it on behalf of the Government of India and the murdered man's relations.[1] The details of the case are not without dramatic interest and are worthy of record.

In February 1923 I received a letter from the Assistant Political Agent in Chitral, in the North-West Frontier Province of India, enclosing a petition from the relations of one Muham-

[1] If the nationalities had been reversed, with the accused a British and the deceased a Chinese subject, I would have tried the case at Kashgar in my Consular court with the Taoyin watching it on behalf of the Governor.

3: Skrine G-3 (1922-1924) 1926 All Sinkiang All

692
682

mad Shah. This was to the effect that the said Muhammad Shah, a trader of Chitral, had left Yangi Hissar in the province of Sinkiang in the previous December but had never reached his home. I requested the Taoyin to make inquiries, at the same time calling for a report from the British Aqsaqal at Yangi Hissar. The latter replied that Muhammad Shah had indeed left Yangi Hissar two months before, travelling alone, and had been traced as far as Ighiz Yar on the Tashqurghan road, but had not been seen or heard of since. Nothing happened and I had almost given up hope of the mystery being cleared up, when towards the end of May the Taoyin informed me that a man had been arrested on the charge of murdering Muhammad Shah at a wild spot called Sasik Tika in the Qizil Tagh two marches from Yangi Hissar along the Tashqurghan road, and that in due course he would be tried by the Magistrate of Yangi Hissar, Mr. Chiang.

According to Chinese judicial procedure, the Magistrate of a district in which a murder has been committed is held responsible for this breach of law and order, and incurs a degree of disgrace inversely proportionate to the distance from his headquarters of the place where the crime was committed. He must proceed at once to the spot and view the corpse, no matter where it is or how long it has been buried, and hold an inquest in person. The result is that corpulent Mandarins, who never stir from their Yamens if they can possibly help it, take the greatest care that no murder be committed within their borders, not only because of the black marks they receive, but also on account of the irksome journey that may be involved. As has happened more than once of recent years in Kashgaria, when a murder takes place near the boundary between two districts, the Beg and local headmen know what is expected of them and take good care that the body is not found within *their* master's jurisdiction. The people in the next district feel the same about it, and thus the unfortunate corpse is bandied surreptitiously backwards and forwards until its relatives succeed in inducing one set of authorities or the other to take up the case. The system has at any rate the advantage of keeping down violent crime, which is liable to cause so much trouble to everybody concerned, from the District Magistrate downwards; and certainly during the two and a quarter years I was at Kashgar, out of all the hundreds of British Indian traders and other nationals travelling about the country with goods or money or living on

3: Skrine G-3 (1922-1924) 1926 All Sinkiang All

692
682

their estates, only one was murdered. That was Muhammad Shah, the victim in the present case.

Poor Mr. Chiang did not at all like having to drive and ride forty miles up into the mountains to hold an inquest upon the four-month-old corpse of the Chitrali, but he did it, and one of my Assistant Aqsaqals accompanied him. As a result of the inquest a Kirghiz of Sasik Tika was charged with the murder and the case referred to the Taoyin of Kashgar for orders. I was informed, as already stated, and it was arranged between myself and the Taoyin, in order to save the delay and expense involved in bringing the case to Kashgar for trial, that I should visit Yangi Hissar on my way to the mountains and assist at the hearing of the case by the Magistrate. The trial, which took place on the morning after our arrival (21st June), was short, as the accused had confessed and it was only necessary to examine, besides the man himself, the Beg of the circle and the *yuzbashi* (headman) of the valley. The prisoner, a man of about 30, was of an unmistakably criminal type with low, receding forehead, eyes set close together, and a violent squint. The story he and the witnesses told Mr. Chiang and myself, as we sat at a huge table in the open inner courtyard of the Yamen, was as follows:

Muhammad Shah was an opium-smuggler and had sold a consignment of Afghan opium profitably in Yarkand the previous autumn. Early in December, that is to say about as late in the season as he could reasonably expect to cross the high passes safely, he started alone from Yangi Hissar for his home in far Chitral across the Roof of the World. He rode a wiry little Yarkand pony, and in his sadlle-bags he carried the balance of his profits in the shape of a few taels' worth of silver and a couple of bales of gaily-dyed Khotan silks; for the greater part of the proceeds of his opium-running had doubtless been spent in the oiling of necessary palms and in obtaining from the Yamen a permit to leave the country.

On the evening of his second day on the road Muhammad Shah found himself at Sasik Tika and asked for shelter at the solitary hut occupied by the prisoner, Yakub. The Kirghiz came out and looked at the traveller and his bulging saddle-bags. "We are the poorest of the poor," he said, "and have no food, but we will put you up for the night. Only, you must sleep outside the tent as my wife and three children are all ill inside." Accordingly Muhammad Shah, having hobbled his pony and muttered Mecca-wards his evening prayer, ate two

3: Skrine G-3 (1922-1924) 1926 All Sinkiang All

•692
682

of the little round shiny loaves he had brought with him and threw himself down on the felt mat which his host spread in front of the tent for him. For pillow he had his saddlebags and for bedclothes his sheepskin cloak, and he was soon fast asleep in spite of the icy breath of night which now and again passed down the gloomy valley like a sigh.

Two hours later, when the moon had set, Yakub crept out of the hut and peered stealthily at his guest in the faint starlight. Then he went to a heap of stones close by and selected a big slab which he could just carry shoulder-high. Staggering with it to where Muhammad Shah lay, he heaved it on the unfortunate sleeper's head. As Yakub himself put it: "He just gave a little kick and moved no more." Dragging the body on the felt mat as it lay, he hid it behind a boulder and went back to bed. Early in the morning he rose and went out, telling his wife (who knew nothing of what he had done) that he was going to work at the coal-mine.[1] Going to where the body lay he wrapped it up in the felt and heaved it first on to a boulder and thence on to the back of the dead man's pony, which he proceeded to drive in front of him up a steep and narrow side-glen into the snowy fastnesses of the Qizil Tagh. Up and up he went, to the verge of the winter snows, and there he threw the corpse down into the dry bed of the torrent and buried it by tumbling rocks on it from above. He would have liked to keep the pony, but it would have been too dangerous; so he tied the poor beast's legs together and pushed it over a precipice. The dead man's money he hid in a secret place and the silks he stored in the hut, telling his wife that he had received them from a trader in exchange for the skins of some stone-martens he had trapped.

Weeks passed and nothing happened, so that gradually Yakub plucked up courage to go to Yangi Hissar on market day and spend some of his new fortune. A wedding took place in a neighbouring valley to which he and his wife, with all the other Kirghiz of the Qizil Tagh, were invited; every one noticed the beautiful new silk clothes of Mrs. Yakub, and word went round that her husband had somehow become rich. Then one day the inhabitants of the Kinkol valley received an unexpected and unwelcome visit from their Beg, who brought grave news from Yangi Hissar. The British Consul-General, it appeared,

[1] A shallow surface-working on a seam recently discovered in the neighbourhood and exploited by the Chinese military authorities, who claim a monopoly of all minerals.

3: Skrine G-3 (1922-1924) 1926 All Sinkiang All

had formally requested the Taoyin, and through him their Magistrate, to make inquiries into the whereabouts of a British subject last heard of in Yangi Hissar district. This meant that unless they, the Beg, headmen and people of the Kinkol valley, could either find the fellow or prove that he had crossed the passes into Tashkurghan district, unpleasant things would happen to them.

It was not long before the suspicions of the headmen fell upon our friend Yakub. The latter at first strenuously denied all knowledge of the missing man ; but he failed to explain how he had become so wealthy all of a sudden, and eventually he confessed. Let us not inquire too closely into the methods by which the Beg and his minions persuaded Yakub to be frank with them. Suffice it to say that according to the old Chinese law still in force in Sinkiang no one can be convicted of any crime, no matter how strong the evidence against him may be, unless he confesses it ; so that those responsible for the suppression of crime become experts in the fine art of eliciting confessions from recalcitrant prisoners. From the point of view of the British Consulate-General, all that mattered was that Yakub gave Mr. Chang and myself a detailed and even graphic account of how he did the deed, so that Chinese justice could take its course, the claims of Muhammad Shah's relatives in far Chitral be duly honoured and the bonds of amity between two great nations further strengthened through their local representatives. True, the said relatives of the deceased not only received no blood-money, as they would have done if he had waited till he reached his own country before getting himself murdered, but had to be content with a mere fraction of his estate—for the local people who had had so much trouble and anxiety over the matter, from the Beg down to the prisoner's (more or less) innocent wife, could not be expected to disgorge more than a reasonable percentage of the spoils. But then, Muhammad Shah had no business to indulge in opium-running in Chinese territory. With my concurrence, the Magistrate found Yakub guilty of murder and condemned him to death ; six weeks later, when the necessary confirmation had been received from the Governor at Urumchi, the murderer was duly hanged in the presence of the British Aqsaqal of Yangi Hissar.

To return to our own journey. Soon after midday, when the trial was over, a cloth was laid on the Court table and the Magistrate and I seized our chop-sticks and set to work on a regular Yamen dinner of about twenty-five courses which